

Melancon Speaks in Support of Bill Addressing Death on the High Seas Act, Other Legal Liability Issues Arising from BP Oil Catastrophe
July 1, 2010

WASHINGTON, DC — Today, the U.S. House of Representatives passed legislation introduced by Chairman John Conyers, Jr. (D-Mich.) and Congressman Charlie Melancon (LA-03) addressing legal liability issues arising from the BP oil disaster, including reform of the *Death on the High Seas Act*. The House passed HR 5503, the “Securing Protections for the Injured from Limitations on Liability Act” (SPILL Act) by a voice vote.

During debate on the SPILL Act today, Congressman Melancon urged his colleagues to support the families of the Deepwater Horizon disaster by voting for this legislation. Click [here](#) to view Congressman Melancon’s speech.

In his speech, Congressman Melancon said, **“I have met with the family members of those workers and I have seen the pain on their faces. While we cannot relieve these families from the unimaginable grief they will go through for the rest of their lives—losing a husband, a father, a brother and a son--- we fix a law that is clearly outdated and wrong.**

“When it comes to compensating victim’s families, current laws are inconsistent, lax and encourage companies to take risks—gambling with the lives of workers in the process.”

Congressman Melancon continued, **“Today, we have the opportunity to change those laws, and the SPILL Act does exactly that...It is impossible to replace a husband or a father. But just compensation is absolutely necessary to help these families pay their house note and help put food on the table.”**

He concluded, **“We can’t let current law stand. Congress must act now, so that we encourage safe operating policies and hold companies accountable to the highest standard of workplace safety.”**

The full text of Congressman Melancon’s speech, as prepared for delivery, is copied below.

In a Congressional hearing held in Chalmette in early June, Congressman Melancon heard testimony from the widows of two workers who lost their lives in the Deepwater Horizon explosion. The widows urged Congress to reform the *Death on the High Seas Act*, a 90-year-old law that limits the amount of damages survivors can recover for the deaths of family members killed in the Gulf of Mexico oil rig explosion.

Recently, the widows joined other family members of the Deepwater victims in sending Chairman Conyers and Congressman Melancon [a letter in support of the SPILL Act](#).

The eight family members who signed the letter wrote, **“No amount of money can compensate us for the loss of our loved ones, but your bill allows for the recovery of**

more nearly adequate damages when a wrongful death occurs on the high seas. We applaud you and Congressman Charlie Melancon for introducing this important legislation. We urge Congress to act quickly and enact the SPILL Act into law.”

The current liability regime surrounding the Gulf Coast oil disaster is exceedingly complex and outdated. In many cases, the prevailing laws were written in the mid-19th century to protect American merchant ship owners. The SPILL Act updates the liability system to provide fairness to victims by eliminating anomalies in the law.

Specifically, HR 5503 would:

- **Allows family members of those killed in wrongful death maritime cases to recover for pain and suffering** . Amends the *Death on the High Seas Act* (dating from 1920) and the *Jones Act* (also dating from 1920) to permit recovery of non-pecuniary damages by the deceased’s family, including pain and suffering and loss of care, comfort, and companionship. The SPILL Act will also standardize the geographic threshold for its application, and permit surviving family members to bring suit directly rather than through a personal representative.
- **Changes 19th century law that could leave families of victims empty-handed.** Repeals the outmoded *Limitation on Liability Act* (dating from 1851) which limits the liability of vessel owners to the value of the vessel and its cargo where the accident occurs.
- **Prevents companies from using bankruptcy to avoid compensating victims and their families** . Strengthens bankruptcy rules to prevent corporations responsible for widespread damages under the Oil Pollution Act from seeking to sever their assets from the legal liabilities they owe to innocent victims.
- Apply these changes to pending and future legal claims.

Congressman Melancon’s Remarks on the Floor of the U.S. House of Representatives in Support of the Melancon SPILL Act
July 1, 2010

Mr. Speaker,

11 men died in the explosion aboard the Deepwater Horizon oil rig-----and as a 90 year-old law stands right now — the families that lost their loved ones can not hold those responsible accountable for the harm they have caused them.

I have met with the family members of those workers and I have seen the pain on their faces. While we cannot relieve these families from the unimaginable grief they will go through for the rest of their lives—losing a husband, a father, a brother and a son--- we fix a law that is clearly

outdated and wrong.

When it comes to compensating victim’s families, current laws are inconsistent, lax and encourage companies to take risks—gambling with the lives of workers in the process.□

Today, we have the opportunity to change those laws, and the SPILL Act does exactly that. This bill amends the Death on the High Seas Act and the Jones Act so that the surviving relatives can recover some measure of compensation for the loss they have suffered. It is impossible to replace a husband or a father. But just compensation is absolutely necessary to help these families pay their house note and help put food on the table.

We know that current law encourages risky behavior. We’ve seen through the ongoing investigation into the Horizon disaster that BP chose to ignore safety concerns about the volatility of their well. As a result, hard working men lost their lives and we have the worst environmental disaster in our nation’s history in the Gulf of Mexico.

We can’t let current law stand. Congress must act now, so that we encourage safe operating policies and hold companies accountable to the highest standard of workplace safety.

I want to thank Chairman Conyers and the Judiciary Committee for working so swiftly to fix this law and I urge my colleagues to side with the victim’s families and not irresponsible corporations. I urge a yes vote on the SPILL Act.

I yield back my time.

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